

EXPRESS MAIL: EL 578081629 US

Attorney Docket No.: 31304-702.831

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Christof Neihrs *et al.*

Art Unit: 1645

Application No. 10/509,464

Confirmation No.: 2734

Filed: September 27, 2004

Examiner: Unassigned

For: **Compositions For Diagnosis And
Therapy of Diseases Associated With
Aberrant Expression of *Kremen* and or
*Wnt***

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

M/S Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir.

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (Do/Eo/US) dated March 15, 2005, Applicants submit the following documents for appropriate action by the U.S. patent and Trademark Office:

- ☒ Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (Do/Eo/US);
- ☒ Original Declaration, executed by the inventors;
- ☒ Amendment In Response to Notice Under 37 CFR 1.321-825, Statement To Support Filing and Submission, Sequence Listing on paper and diskette; and
- ☒ Petition for Extension of Time, Fee Transmittal, Power of Attorney, Statement Under 37 CFR 3.73(b), copy of Assignment and Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee associated with this filing to our Deposit Account No. 23-2415 referencing docket number 31304-702.831. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefore are hereby authorized to be charged to our Deposit Account No. 23-2415 referencing docket number 31304-702.831. A duplicate copy of this Response is enclosed.

Respectfully, submitted,

Date: June 3, 2005



Albert P. Halluin (Reg. No. 25,227)

WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, CA 94304-1050
(650) 493-9300

RECEIVED

MAR 18 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO. 10/509,464	FIRST NAMED APPLICANT Christof Niehrs	ATTY. DOCKET NO. 31304-702.831
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INTERNATIONAL APPLICATION NO.

PCT/EP03/03277

I.A. FILING DATE	PRIORITY DATE
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03/28/2003

21971

WILSON SONSINI GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 943041050

CONFIRMATION NO. 2734

371 FORMALITIES LETTER



OC000000015455773

Date Mailed: 03/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/27/2004
- Copy of the International Search Report filed on 09/27/2004
- Copy of IPE Report filed on 09/27/2004
- Information Disclosure Statements filed on 02/09/2005
- U.S. Basic National Fees filed on 09/27/2004
- Priority Documents filed on 09/27/2004

31304-702.831
MISCELLANEOUS
DEC 01/15/05
FILED
MS 31304-702.831

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an

amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,464	PCT/EP03/03277	31304-702.831

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL for FY 2005		Complete if Known	
<input checked="" type="checkbox"/> applicant claims small entity status. See 37 CFR 1.27.		Application Number	10/509,464
TOTAL AMOUNT OF PAYMENT (\$65.00)		Filing Date	9/27/2004
		First Named Inventor	Christof Niehrs
		Examiner Name	Unassigned
		Art Unit	1645
		Attorney Docket No.	31304-702.831

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☒ Deposit Account: Deposit Account Number: 23-2415 Deposit Account Name: Wilson Sonsini Goodrich & Rosati
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayment

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	4
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims - 20 or HP = × = **Multiple Dependent Claims**
 HP = highest number of total claims paid for, if greater than 20 Fee (\$) Fee Paid (\$)
Indep. Claims - 3 or HP = × = Fee (\$) Fee Paid (\$)
 HP = highest number of total claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fractions thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) ×		

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount).	
Other: <u>Late Oath Fee</u>	\$65.00

SUBMITTED BY

Adjustment date: 06/13/2007 06/09/2005 GFREY1 00000063 232415 10509464 01 FC:2617 65.00 DA	Signature: <u>Albert P. Halluin</u> (Print/Type) Albert P. Halluin	Registration No. (Attorney/Agent) 25,227	Telephone 650-493-9300 Date: June 3, 2005
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This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.